

UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: PATRICK J. WOLF and : CHAPTER 13  
MACKENZIE L. WOLF :  
Debtor(s) :  
: CHARLES J. DEHART, III :  
STANDING CHAPTER 13 TRUSTEE :  
Movant :  
: vs. :  
: PATRICK J. WOLF and :  
MACKENZIE L. WOLF :  
Respondent(s) : CASE NO. 1-18-bk-02961

TRUSTEE'S OBJECTION TO CHAPTER 13 PLAN

AND NOW, this 20th day of September, 2018, comes Charles J. DeHart, III, Standing Chapter 13 Trustee, and objects to the confirmation of the above-referenced debtor(s)' plan for the following reason(s):

1. Debtor(s)' plan violates 11 U.S.C. Sec. 1322(a)(1) in that the debtor(s) has not submitted all or such portion of the disposable income to the Trustee as required. More specifically,

Trustee alleges and avers that debtor(s)' disposable income is greater than that which is committed to the plan based upon the Means Test calculation and specifically disputes the following amounts:

- a. Plan payment calculation sum of Lines 34, 35, 36 45.
- b. Transportation ownership expense – Line 13 – Ownership expense for vehicles(s) without lien not permitted.

2. Debtor(s)' plan violates 11 U.S.C. Sec. 1325(a)(4) in that the value of property to be distributed under the plan on account of each allowed unsecured claim is less than the amount that would be paid on such claim if the estate were liquidated under Chapter 7. More specifically, debtor's have excess non-exempt equity in the following:

- a. Residential real estate.

3. The Trustee avers that debtor(s)' plan is not feasible based upon the following:

- a. The plan is inconsistent with Proofs of Claims filed and/or approved by the Court.

4. Trustee avers that debtor(s)' plan is not feasible and cannot be administered due to the lack of the following:

- a. 2017 Federal Income Tax return.
- b. Paystub for month ending September 30, 2018.

WHEREFORE, Trustee alleges and avers that debtor(s) plan is nonconfirmable and therefore Trustee prays that this Honorable Court will:

- a. Deny confirmation of debtor(s) plan.
- b. Dismiss or convert debtor(s) case.
- c. Provide such other relief as is equitable and just.

Respectfully submitted:

/s/Charles J. DeHart, III  
Standing Chapter 13 Trustee  
8125 Adams Drive, Suite A  
Hummelstown, PA 17036  
(717) 566-6097

CERTIFICATE OF SERVICE

AND NOW, this 3rd day of October, 2018, I hereby certify that I have served the within Objection by electronically notifying parties or by depositing a true and correct copy of the same in the United States Mail at Harrisburg, Pennsylvania, postage prepaid, first class mail, addressed to the following:

Paul Lutz, Esquire  
110 South Northern Way  
York, PA 17402

/s/Deborah A. Behney  
Office of Charles J. DeHart, III  
Standing Chapter 13 Trustee